

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2002-019515

07/29/2003

HONORABLE PETER C. REINSTEIN

CLERK OF THE COURT
M. Sahli
Deputy

FILED: 07/31/2003

MOBILE MINI INC

J PHILLIP GLASSCOCK

v.

MICHAEL E BAXTER, et al.

JODY L PRITCHARD
1850 E MARYLAND #53
PHOENIX AZ 85016
DEBRA K STENGER
2173 LA HACIENDA DRIVE
SPARKS NV 89434

BENCH TRIAL SET

8:35 a.m. In chambers. This is the time set for Telephonic Comprehensive Pretrial Conference. All parties appear telephonically. Plaintiff is represented by counsel, J. Phillip Glasscock. Defendant Jody L. Pritchard appears on her own behalf. Defendant Debra K. Stenger appears on her own behalf. No other parties are present or represented.

No court reporter is present.

Discussion is held. .

IT IS ORDERED AS FOLLOWS:

Setting a Trial to the Court in this matter for **Tuesday, March 9, 2004 at 9:30 a.m.**, in this division. Estimated length of trial: **3 days.**

Adopting by reference, as an Order of the Court, the Joint Pretrial Management Conference Memorandum. The terms of the memorandum shall govern, unless inconsistent with any provisions of this minute entry.

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All discovery shall be completed no later than December 29, 2003.

All witnesses shall be disclosed no later than December 29, 2003.

The Pretrial Management Conference (PTMC) is set for **Monday, March 1, 2004 at 9:00 a.m.** in this division. (Allotted time: 30 minutes).

The joint pretrial statement in accordance with Rule 16(d), Arizona Rules of Civil Procedure, is due by **February 25, 2004**. In addition to the information required by Rule 16(d), counsel are to identify in/with the joint pretrial statement all deposition or other transcribed testimony that may be offered at trial. The proposed testimony is to be identified by reference to page and line numbers. Objections, if any, to such testimony, and the reasons for such objections, are also to be set forth.

IT IS FURTHER ORDERED that no less than five (5) judicial days prior to the PTMC, counsel (or the parties) shall file:

- A. Any trial memoranda (optional), which will be in lieu of post-trial briefs unless otherwise requested by the Court at the conclusion of the trial.
- B. Proposed findings of fact and conclusions of law (if a request for findings of fact and conclusions of law has been or will be filed).
- C. Opinions of experts fairly sought and revealed in deposition or other discovery shall not be supplemented at trial.
- D. A witness and exhibit lists shall contain no surprises; any information sought by other discovery devices and revealed for the first time on the witness or exhibit lists will be inadmissible at trial.

***** ATTORNEYS AND ASSISTANTS---PLEASE READ NUMBER E CAREFULLY*****

E All exhibits shall be exchanged 30 days before trial. Counsel shall confer regarding exhibits so that duplicates are avoided. **Counsel or their designated representative shall call the division clerk at (602) 506-3813 no later than 10:00 a.m. ten days before trial to make arrangements for marking exhibits and to inform the clerk the number of exhibits counsel intend to mark for identification prior to trial.** The exhibits will be marked serially with Plaintiff's first, Defendant's second. Counsel shall advise the clerk, by signed stipulation or on the record, which exhibits may be marked **directly into evidence**. Original depositions are provided to the clerk for the record and are not marked as exhibits.

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Motions in Limine, which must meet the test of State v. Superior Court, 108 Ariz. 396, 499 P.2d 152 (1972): All Motions in Limine shall be filed no later than 30 days before the PTMC. The primary purpose of a motion in limine is to avoid disclosing to the jury prejudicial matters, which may compel a mistrial. A written response to motions in limine may be filed no later than 10 days thereafter. No replies shall be filed.

All motions (except motions in limine) shall be filed no later than **sixty (60) days** prior to trial so they can be scheduled, briefed, argued and decided prior to trial.

All documents and pleadings described above shall be delivered, telefaxed or e-mailed to opposing counsel on the date they are delivered to the Court.

8:45 a.m. Matter concludes.